
ENGROSSED HOUSE BILL 1152

State of Washington

58th Legislature

2003 Regular Session

By Representatives Haigh, Woods, Miloscia, Armstrong, Hunt, Nixon, Shabro, Sehlin and Anderson; by request of Secretary of State

Read first time 01/20/2003. Referred to Committee on State Government.

1 AN ACT Relating to funding of the archives division; amending RCW
2 40.14.025, 40.14.027, and 36.22.175; and adding new sections to chapter
3 40.14 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 40.14.025 and 1996 c 245 s 3 are each amended to read
6 as follows:

7 (1) The secretary of state and the director of financial management
8 shall jointly establish a procedure and formula for allocating the
9 costs of services provided by the division of archives and records
10 management to state agencies. The total amount allotted for services
11 to state agencies shall not exceed the appropriation to the archives
12 and records management account during any allotment period.

13 ((~~1~~)) (2) There is created the archives and records management
14 account in the state treasury which shall consist of all fees and
15 charges collected under this section(~~(, RCW 36.22.175, and 40.14.027)~~).
16 The account shall be appropriated exclusively for the payment of costs

1 and expenses incurred in the operation of the division of archives and
2 records management as specified by law.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 40.14 RCW
4 to read as follows:

5 The imaging account is created in the custody of the state
6 treasurer. All receipts collected under RCW 40.14.020(8) for contract
7 imaging, micrographics, reproduction, and duplication services provided
8 by the division of archives and records management must be deposited
9 into the account and expenditures from the account may be used only for
10 these purposes. Only the secretary of state or the secretary's
11 designee may authorize expenditures from the account. The account is
12 subject to allotment procedures under chapter 43.88 RCW, but an
13 appropriation is not required for expenditures.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 40.14 RCW
15 to read as follows:

16 The local government archives account is created in the custody of
17 the state treasurer. All receipts collected by the county auditors
18 under RCW 40.14.027 and 36.22.175 for local government services, such
19 as providing records scheduling, security microfilm inspection and
20 storage, archival preservation, cataloging, and indexing for local
21 government records and digital data and access to those records and
22 data through the regional branch archives of the division of archives
23 and records management, must be deposited into the account and
24 expenditures from the account may be used only for these purposes.
25 Only the secretary of state or the secretary's designee may authorize
26 expenditures from the account. The account is subject to allotment
27 procedures under chapter 43.88 RCW, but an appropriation is not
28 required for expenditures. However, all fees collected under RCW
29 36.22.175(3) may be spent only by appropriation.

30 **Sec. 4.** RCW 40.14.027 and 2001 c 146 s 4 are each amended to read
31 as follows:

32 State agencies shall collect a surcharge of twenty dollars from the
33 judgment debtor upon the satisfaction of a warrant filed in superior
34 court for unpaid taxes or liabilities. The surcharge is imposed on the
35 judgment debtor in the form of a penalty in addition to the filing fee

1 provided in RCW 36.18.012(10). The surcharge revenue shall be
2 transmitted to the state treasurer for deposit in the archives and
3 records management account.

4 Surcharge revenue deposited in the local government archives (~~and~~
5 ~~records management~~) account under section 3 of this act shall be
6 expended by the secretary of state exclusively for disaster recovery,
7 essential records protection services, and records management training
8 for local government agencies by the division of archives and records
9 management. The secretary of state shall, with local government
10 representatives, establish a committee to advise the state archivist on
11 the local government archives and records management program.

12 **Sec. 5.** RCW 36.22.175 and 2001 2nd sp.s. c 13 s 1 are each amended
13 to read as follows:

14 (1) In addition to any other charge authorized by law, the county
15 auditor shall charge a surcharge of one dollar per instrument for each
16 document recorded. Revenue generated through this surcharge shall be
17 transmitted monthly to the state treasurer for deposit in the local
18 government archives (~~and records management~~) account under section 3
19 of this act. These funds shall be used solely for providing records
20 scheduling, security microfilm inspection and storage, archival
21 preservation, cataloging, and indexing for local government records and
22 digital data and access to those records and data through the regional
23 branch archives of the division of archives and records management.

24 The division of archives and records management within the office
25 of the secretary of state shall provide records management training for
26 local governments and shall establish a competitive grant program to
27 solicit and prioritize project proposals from local governments for
28 potential funding to be paid for by funds from the auditor surcharge
29 and tax warrant surcharge revenues. Application for specific projects
30 may be made by local government agencies only. The state archivist in
31 consultation with the advisory committee established under RCW
32 40.14.027 shall adopt rules governing project eligibility, evaluation,
33 awarding of grants, and other criteria including requirements for
34 records management training for grant recipients.

35 (2) The advisory committee established under RCW 40.14.027 shall
36 review grant proposals and establish a prioritized list of projects to
37 be considered for funding by January 1st of each even-numbered year,

1 beginning in 2002. The evaluation of proposals and development of the
2 prioritized list must be developed through open public meetings.
3 Funding for projects shall be granted according to the ranking of each
4 application on the prioritized list and projects will be funded only to
5 the extent that funds are available. A grant award may have an
6 effective date other than the date the project is placed on the
7 prioritized list.

8 (3) In addition to any other surcharge authorized by law, the
9 county auditor shall charge a surcharge of one dollar per instrument
10 for every document recorded after January 1, 2002. Revenue generated
11 through this surcharge shall be transmitted to the state treasurer
12 monthly for deposit in the local government archives (~~(and records~~
13 ~~management))~~ account under section 3 of this act to be used exclusively
14 for the construction and improvement of a specialized regional facility
15 located in eastern Washington designed to serve the archives, records
16 management, and digital data management needs of local government.

17 To the extent the facilities are used for the storage and retrieval
18 of state agency records and digital data, that portion of the
19 construction of such facilities used for state government records and
20 data shall be supported by other charges and fees paid by state
21 agencies and shall not be supported by the surcharge authorized in this
22 subsection.

23 At such time that all debt service from construction on such
24 facility has been paid, fifty percent of the surcharge authorized by
25 this subsection shall be reverted to the centennial document
26 preservation and modernization account as prescribed in RCW 36.22.170
27 and fifty percent of the surcharge authorized by this section shall be
28 reverted to the state treasurer for deposit in the archives and records
29 management account to serve the archives, records management, and
30 digital data management needs of local government.

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